



Paul E. Patton
Governor

COMMONWEALTH OF KENTUCKY
PERSONNEL CABINET
200 FAIR OAKS LANE
5TH FLOOR
FRANKFORT, KENTUCKY 40601
(502) 564-4460

Carol M. Palmore
Secretary

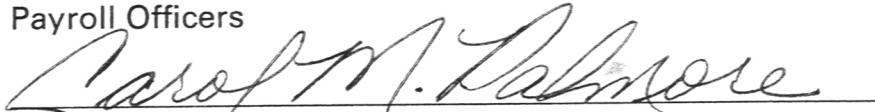
September 17, 2001

MEMORANDUM

PERSONNEL MEMO 01 - 11

TO: Cabinet Secretaries
Agency Heads
Personnel Executives
Payroll Officers

FROM:


Carol M. Palmore, Secretary

SUBJECT: Military Leave and Retention of Annual and Compensatory Leave

We have received a number of inquiries with respect to whether state employees activated for military service may elect to retain their accumulated annual or compensatory leave. Under normal circumstances an employee placed on leave without pay in excess of thirty (30) days must have used or been paid for accumulated annual leave, 101 KAR 2:102. Under this provision, ten (10) days of annual leave may be retained upon request. There is no comparable requirement for compensatory leave.

We interpret the Military Leave regulation, 101 KAR 2:102, Section 6 as an exception to the Annual Leave regulation. Under the Military Leave regulation, an employee may be paid for annual and compensatory leave upon request. We construe this section to give the employee activated for military service the option to cash out accumulated annual and compensatory leave, remain on the payroll by using all or part of it, or reserve it for use upon return.

It is our intent to allow the activated employees the broadest possible latitude in order to lessen the financial impact (at least to the extent we have the ability to do so) upon these employees and their families.



AN EQUAL OPPORTUNITY EMPLOYER M/F/D